



PATENT
ATTORNEY DOCKET NO. 00671384

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OK
TO
ENTER
RCE
SM
6/24/03

In re application of:)
Dr. Uwe Schilling)
Serial No.: 09/663,088)
Filing Date: September 15, 2000)
For: NAVIGATION SYSTEM WITH)
EXTENDED DISPLAY FUNCTION)

Group Art Unit: 3661

Examiner: Eric M. Gibson

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By Timothy Hubalik

Signature of Person Mailing Papers

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181

Sir:

After a telephone conference on March 5, 2003, with the U.S. Patent and Trademark Office's Examiner, Eric M. Gibson, Applicant files this Petition to Withdraw Holding of Abandonment, and requests entry of the previously filed Request for Continued Examination (RCE) of the above-referenced application (copy attached).

As set forth in the facts below, Applicant has fully intended throughout the prosecution of this application to take every action necessary to continue the prosecution to successful allowance. Applicant respectfully believes that, on the basis of mail apparently being misplaced within the Patent Office, as discussed below, the holding of abandonment should be withdrawn and the RCE that was filed on October 21, 2002 and received by the Patent Office should be entered.

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FACTS

On July 17, 2002, Applicant received a Final Office Action mailed on July 3, 2002. After consideration of the Final Office Action, on September 24, 2002, Applicant filed via facsimile an Amendment In Response To The Final Office Action of 7/03/02 (Amendment After Final). The facsimile was sent to Examiner Eric M. Gibson.

The Examiner received the facsimile, considered the Amendment After Final, and provided an Advisory Action, mailed on October 2, 2003. Applicant received the Advisory Action on October 8, 2002. The Advisory Action indicated that the Amendment After Final would not be entered because it raised new issues requiring further consideration. In an effort to continue to comply with the appropriate procedures and to prosecute this application, on October 21, 2002, Applicant then filed an RCE seeking entry of the amendments set forth in the Amendment After Final. The RCE included a Certificate of Mailing and listed the correct Serial Number and Examiner, and Applicant received a return postcard acknowledging receipt by the U.S. Patent and Trademark Office (copy of the RCE and postcard are enclosed). Also, it is Applicant's understanding that the check for the RCE fee has even cleared, as having been cashed by the Patent Office.

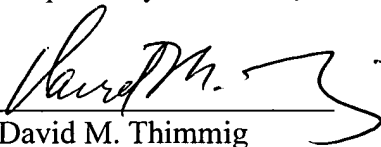
After Applicant received a Notice of Abandonment, mailed February 26, 2003, (citing a failure to respond to the Advisory Action dated October 2, 2002), the undersigned telephoned Examiner Gibson. Examiner Gibson stated that he had not seen the RCE and that it is not in the official application file. The Examiner encouraged Applicant to file a petition to withdraw the holding of abandonment.

Accordingly, Applicant respectfully requests that the abandonment of the above-identified application be withdrawn in light of the above-mentioned circumstances and Applicant's ongoing actions to do everything thought to be necessary and appropriate to

continue the prosecution of this application. Applicant believes that it is clear that the Patent Office received the RCE, as indicated on the postcard and by cashing the check, yet Applicant received no benefit of the filing because it did not reach the file bearing the listed serial number and Examiner. Applicant also respectfully requests entry of the RCE filed on October 21, 2002, which in turn seeks entry of the previously filed Amendment After Final. Applicant believes that entry of the RCE and previously filed Amendment After Final will place this application in condition for allowance.

It is Applicant's understanding that no fee is required with this Petition, and Applicant reiterates that the appropriate \$740.00 filing fee for the RCE was submitted with the misplaced RCE and that the check (no. 76981) has cleared as paid. However, if any further fee is required, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment (associated with this communication) to our Deposit Account No. 13-0019.

Respectfully submitted,



David M. Thimmig
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Dated: March 11, 2003